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March 27, 2017

Via ECF; Total Pages: 2

Hon. Edgardo Ramos, U.S.D.J.  
U.S. District Court  
40 Foley Square  
New York, NY 10007

Re: Gualpa v. M & G Rapas Rest. Corp. et al  
Case No.: 1:16-cv-08950

Dear Judge Ramos:

This office represents the Defendants in the above referenced matter. On March 22, 2017, Plaintiff's counsel Kara Miller, Esq. filed a letter to the court requesting that this matter be removed from mediation solely based on the issue of conflicting schedules.

On March 21, 2017 at 10:42 a.m., I advised Ms. Miller that due to a trial, we would need to reschedule the mediation that was scheduled for March 27, 2017 at 10:30 a.m. The reason for my request was that I was ordered by Hon. Frederic Block, U.S.D.J. in the U.S. District Court, Eastern District of New York that a matter that did not settle would proceed to trial starting on March 22, 2017, and would continue for several days thereafter. The parties in that case were engaged in settlement discussions, however the matter did not settle, and Judge Block ordered that the trial proceed.

Based on the above, I provided Ms. Miller with three (3) dates in the following week. Defendants had every intention of attending mediation, had it not been for this unexpected circumstance. If Defendants wished to "abuse the system to delay justice", proximate dates would not have been provided. In addition, I had been scheduled to meet with my clients on March 25, 2017 to discuss the mediation.

At the end of the day on March 21, 2017, the day before the trial before Judge Block, the parties in that matter finally reached a settlement. As this was at the end of day, I did not have the change to notify Ms. Miller before she filed her letter to the court on March 22, 2017.

Based on the above, Defendants respectfully request that this matter proceed with mediation. Thank you for your kind courtesies in addressing this matter.

Respectfully submitted,

*Michael K. Chong*

Michael K. Chong, Esq.

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cc: Kara Miller, Esq.